LEGAL TANGLE IN SEALING CASE

Judge Diehl Intimates C ONTRARY to expectations the Decision.

May Hold That Technically the Defendant Cannot Be Convicted.

Suit of City Against Eli Price for Violation of Sealing of Weights and Measures Laws.

REAT was the astonishment of the court and the spectators at the complications of law involved in the much advertised sealing and weights and measures case, which came up before Judge Diehl yesterday afternoon. Very few who attended went to the court in the expectation of seeing so much humor as was extracted by Attorney James Ingebretsen, who represented Eli Price, the Main street grocer who was prosecuted by the city.

Mr. Ingebretsen was in a somewhat scathing mood. Assistant City Attorney Willey moved that the case under one indictment, charging the defendant with having in his possession a measure which did not conform to the lawful standard, be again postponed. Hereupon the defendant's counsel protested.

Objects to Delay.

"This case has already been postponed three times," he declarmed vigorously. "If it were asked as a matter of courtesy, I would not have the least ob-But this man," waving his hand to H P. Richards, 'has been advertised for this as has no other man in the State of Utah, and has received all manner of praise in the daily papers. and yet he falls to get together the

mecessary data."

When the court finally decided that a postponement was necessary in the interest of justice, an argument ensued over the date. First Friday and then today was suggested, but Mr. Willey demurred, today being the day of the Democratic State convention. "Oh, really," said Mr. Ingebretsen, in his sauvest manner, "I wouldn't want to deprive the Democratic party of a single bit of brain force." So the case was postponed till next Tuesday aftergen.

Peck of Potatoes the Cause.

efendant was tried on the othe a measure not marked ficial seal of the city. The more than an hour and a which time was taken up amination of Mr. Rich

he thought they t because of this Price as the de-

of the

RICE TRIAL PANEL NOT YET COMPLETE

Two More Jurors Needed to Fill the Box and Pass Upon Guilt or Innocence.

not completed yesterday. The two vacant seats in the jury box were still empty when court adjourned in the afternoon until today. Out of eight veniremen examined there was not even one intirely satisfactory to both sides in the case, and another special venire was drawn for today.

Summonses were served by the Sheriff on thirteen of the eighteen venire returnable yesterday. The other five could not be found. Of the thirteen men who appeared in court, one was excused upon his own motion by Judge Morse, two were found to be disqualified and two were excused on account of physical disabilities. Of the eight examined in the Jury box, five were chal-lenged for cause by the defense and extwo were excused on peremp-

caused, two were excused on peremptory challenge and one on challenge for cause by the prosecution.

The general expectation being that the jury would be completed, the courtroom was partially filled with curious eyes of nearly a hundred people were fixed upon the defendant without disturbing him in the least. Blee out disturbing him in the least. Rice sat between his attorneys and was ob-livious to everything except the examination of the men who are to decide his fate. Now and then he glanced around to see that his wife and little

boy, who occupied a seat directly be-hind him, were in the courtroom. After court had adjourned Rice was permitted to stay in the courtroom and talked for nearly an hour with his at-torneys, A. J. Webber and J. M. Ham-ilton. Mr. Hamilton, when asked what their line of defense would be, said that although some of the more important witnesses were absent, he had no doubt about their being able to prove a complete alibi. The defense, he said, would prove that the confession of George Muncey, implicating Rice and Abe Hunter in the murder of Fred Beutler, which occurred nearly eight years ago, was concocted by Muncey merely to save himself after the murder had been traced to him by the officers. One of their line of defense would be, said that traced to him by the officers. One of the main witnesses, he said, who could swear that Rice was elsewhere when the crime was committed, was now in Europe on a mission for the Mormor

The names of the jurors in the special venire, returnable at 10 o'clock this morning, fellow: William Brand, Granlte: James Young, Jr., East Mill Creek,
George W. Chuge, city: George B.
Margetts, city: John Hall, Farmers',
Joseph MacKnight, city; Juhn Varley,
Sugar, Lasenh Sessions, city: Joseph Sugar: Joseph Sessions, city; Joseph L. Mantle, North Jordan, John F. Ham-liton, Mill Creek, Alma-H. Davis, city, M. J. Moran, Famers, Alden E. Payne, city; James A. Wilkinson, East Mill Creek; William F. Coulton, city; Wil-ford S. Barnes, city; T. H. Latimer, city; Frederick H. Taylor, Bingham; William H. McMillan, city; John W. Sugden, city

Best way to cure kidney troubles is to strengthen the kidneys, help them to perform their functions properly. That's what Doan's Kidney Pills do.

NEWS NOTES BY WIRE.

SAN FRANCISCO, June 8—The strike situation at the Southern Pacific freight yards was improved today so far as the railroad is concerned. Cars were rapidly loaded at the receiving sheds.

ROCKFORD, Ill., June 8 - Ministers of he Swedish Presbyterian church of Amerca. in conference here today marry no divorced persons hereafter.

JACKSONVILLE, Fla., June 8.—Returns today from the Second Democratic State primary assure the nomination of J. P. Tallaferro to succeed himself as United States Senator and of Frank Clark as Congressional Representative from the Sc

MADISON, June 8.—An academic proces-sion today preceding the Wisconsin State university jubilee ceremonies at Armory hall was viewed by a great crowd

SPRINGFIELD, Ill., June 8 .- At today's session of the National Travelers Protective association George H. Maxwell of Chicago, addressing the convention asked that the members do all they could to educate the people as to irrigation.

WASHINGTON, Jpne 8 .- Today's statement of the treasury balances in the general fund exclusive of the \$150,000,000 gold reserve in the division of redemption, shows: Available cash balance, \$164,890,922; gold, \$67,584,991.

WASHINGTON, June 8.—Representative Hitt of Illinois had a talk with the President today about politics in his State. He laughed when a newspaper friend inquired about his Vice-Presidential boom, and replied that he had not had opportunity yet to discuss the subject with all his friends.

BOSTON, June 8.—Those associated with Miles McDonnell, the victim of last night's shooting at Albany, in the management of the Metropolitan Stock Exchange hore, say that Preusser was an intimate friend of McDonnell, and they attribute the thooting only to intoxication or insanity.

ST. LOUIS, June 8 - Don Manuel Severa, Spaniard who was introduced last Sun-ly when the bull fight was attempted as a favorite matador of the King of the bull was shot through the heart today Charleton Bass, know as "the Amer Matador, Tragedy was the result of

EW YORK, June 8 - Justice Clarke of Supreme court this afternoon dis-ted the writ of habeas corpus in the of Mrs. Nan Patterson, connected the shooting of Caesar Young, and nded the prisoner.

W YORK, June 8.—Thomas Sharkey, ugilist, was married in this city to Catherine McIntosh of Michigan, a salonal nurse who attended him dur-recent illness.

STER. O. June 8.—Maj. E. G. Tag-the United States army, located at eavenworth. Kan, brought suit-ry for divorce from Grace Viola aggart, who was a prominent so-of Chicago. He alleges desertion.

ORK, June 8.—Friends of the idy of this city have received a news that the young women dical institution in that city, taken there for observation it while laboring under great hysteria.

K. June 8.—It has just been W. Park of San Francisco. I dead in a Broadway hotet s. was Walter Basil Pack of Harvard university, and aber of the Behemian club

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712c Fast Color Wash

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Ladies' 35c Drop Stitch Lisle Lace Hose, fast black seamless, for-

Boys' Fast Black 20c Bl-cycle Hose, today—

Ladles' 35c Summer Cor-

And a

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Ladies' Vests, 25c value,

50 Pieces New Wash

French Dimities, 18c val-

Boys' 65c Dark Wool School Pants, today—

Men's 45c Value Cream Jersey Underwear, light weight, each→

29c

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\$1.29

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trimmed neck, today-

The Father's Letter.

"This is to thunk Paine's Celery Co-cound for the good it has done. O haughter Katle quickly got well again aking your medicine. She was very st and tired and not strong enough to go of any more. She got thinner eve We nursed her all night many

The Daughter's Letter.

six feet one inch tall. He was up all night and working in daytime. Before I began to get sick without knowing it. He got so poorly that his face was thin and be was complaining of his head and trouble with his stomach. He would be sick in bed for the first time In his life. Now, I thought Paine's Celery Compound would do him good. It cured him very soon. He is strong and healthy more than he was before. It is all the benefit of Paine's Celery Compound."—Katle Klotzbucher.

"I will sign, also, thanking Paine's Celery Compound, for it made my husband strong and well for us "—Mrs. J. J. Klotzbucher, Chadwick St., Philadelphis.



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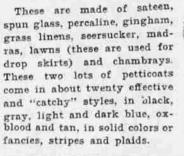
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